

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ROBERT ANDREW WOLTER,)	
)	
Plaintiff,)	
)	
vs.)	NO. CIV-22-0380-HE
)	
COUNTY OF GRADY,)	
)	
Defendant.)	

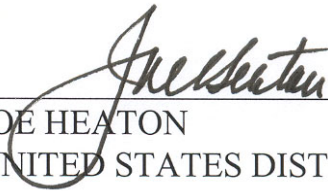
ORDER

Plaintiff Robert Andrew Wolter, a federal pretrial detainee appearing *pro se*, filed this § 1983 action alleging violations of his constitutional rights. Pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), the matter was referred to Magistrate Judge Suzanne Mitchell for initial proceedings. Judge Mitchell has issued a Report and Recommendation recommending that plaintiff’s motion to proceed IFP be denied, since he has at least three “strikes” and is therefore ineligible for IFP status. Plaintiff has responded to the report. He does not challenge the Report’s conclusion that he has more than three “strikes” nor does he contend that he is in imminent danger of serious physical harm. Rather, he indicates he does not have the ability to pay the full filing fee at this time and requests that the case be dismissed without prejudice.

As plaintiff has not challenged the basis for the Report and Recommendation [Doc. #17], it is **ADOPTED**. Plaintiff’s Motions to Proceed IFP [Doc. Nos. 2 and 6] are **DENIED**. Per plaintiff’s request, this case is **DISMISSED** without prejudice to refiling.

IT IS SO ORDERED.

Dated this 13th day of September, 2022.



JOE HEATON
UNITED STATES DISTRICT JUDGE